

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

TAURUS IP, LLC,

Plaintiff,

v.

DAIMLERCHRYSLER CORPORATION,
DAIMLERCHRYSLER COMPANY, LLC,
MERCEDES-BENZ USA, INC.,
CHRYSLER, LLC,
CHRYSLER HOLDING, LLC and
CHRYSLER FINANCIAL, LLC,

Defendants.

MERCEDES-BENZ USA, INC and
DAIMLERCHRYSLER COMPANY, LLC,

Third Party Plaintiffs,

v.

ORION IP, LLC, and
ERICH SPANGENBERG,

Third Party Defendants.

On June 4, 2008, judgment was entered in this civil action for patent infringement

and breach of contract in favor of defendants Chrysler, LLC and Mercedes-Benz USA, Inc. and against plaintiff Taurus IP, LLC and third party defendants Orion IP, LLC and Erich Spangenberg. The judgment in favor of defendants arose from a summary judgment order, a jury verdict and a post-trial order. Plaintiff and third party defendants have now moved for judgment as a matter of law, new trial, alteration or modification of the judgment and remittitur (dkts. ## 554 and 555).

In its motions, plaintiff contends that defendant Mercedes-Benz lacked standing; the court lacked personal jurisdiction over plaintiff and third party defendants; defendants failed to prove breach, proximate causation, reliance or damages; sanctions were imposed improperly; the case was not “exceptional” under 35 U.S.C. § 285; damages fees were excessive; it was error to admit parol evidence at trial; it was error to conclude that third party defendants had waived their right to a jury trial; it was error to bar expert testimony of Tipton Cole and Erich Spangenberg; and it was error to deny a motion for separate trial on the issue of alter ego liability. The issues plaintiff and third party defendants raise have been argued and reargued; I have decided the issues, both at trial and in numerous orders. (Dkts. ##212, 242, 425, 552). I have considered the arguments plaintiff and third party defendants raise in their new motions and none of the arguments persuade me that my previous decisions were erroneous. Therefore, the new motions will be denied.

ORDER

IT IS ORDERED that plaintiff Taurus IP, LLC's and third party defendants Orion IP, LLC's and Erich Spangenberg's motion for judgment as a matter of law (dkt. #555) and motion for new trial, modification or alteration of the judgment and remittitur (dkt. #554) are DENIED.

Entered this 20th day of June, 2008.

BY THE COURT:

/s/

BARBARA B. CRABB
District Judge